

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

August 28, 2009

Ref. No.: GLS-5434

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

HAWAII

Consent to Assign General Lease No. S-5434, Stephen N. Santos, Assignor, to  
Oleander K. Csisko, Assignee, Kikala-Keokea, Puna, Hawaii, Tax Map Key:  
3<sup>rd</sup>/ 1-2-43:34.

APPLICANT:

Stephen N. Santos, as Assignor, to Oleander K. Csisko, wife of Wayne A. Csisko, Tenant  
in Severalty, whose business and mailing address is P. O. Box 1344, Geneva, FL 32732,  
as Assignee.

LEGAL REFERENCE:

Section 171-36(a)(5), Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Lot 34, Kalapana Section situated at Kikala-Keokea,  
Puna, Hawaii, identified by Tax Map Key: 3<sup>rd</sup>/ 1-2-43:34, as shown on the attached map  
labeled Exhibit A.

AREA:

1.07 acres, more or less.

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:

YES \_\_\_\_\_ NO   x

CHARACTER OF USE:

Residential purposes.

TERM OF LEASE:

65-years, commencing on January 1, 1997 and expiring on December 31, 2061. First scheduled rental reopening is for January 1, 2022.

ANNUAL RENTAL:

\$132.00.

CONSIDERATION:

Gratis.

RECOMMENDED PREMIUM:

Not applicable as the lease does not allow for a premium.

DCCA VERIFICATION:

ASSIGNOR:

Not applicable, Assignor is an individual and is not required to register with DCCA.

ASSIGNEE:

Not applicable, Assignee is an individual and is not required to register with DCCA.

REMARKS:

Pursuant to the authority granted by the Legislature of the State of Hawaii in Act 314, Session Laws of Hawaii 1991, as amended by Act 172, Session Laws of Hawaii 1993 and Act 81, Session Laws of Hawaii 1994, the Department was authorized to negotiate and enter into long term residential leases with former Kalapana residents who were dispossessed or displaced as a result of the volcanic eruptions on the island of Hawaii, which began January 3, 1983 and who met the qualifications of Section 13D-3(b), Hawaii Revised Statutes.

At its meeting of December 16, 1994, Item F-3, the Board authorized the awarding of direct residential leases, pursuant to Act 314 at Kikala-Keokea, Puna, Hawaii. A drawing of lots was conducted on December 9, 1995, and Hattie L. N. Santos was awarded a 65-year residential lease under General Lease No. S-5434.

At its meeting of November 20, 1997, Item D-13, the Board consented to the assignment of General Lease No. S-5434, from Hattie L. N. Santos, Assignor, to Dolores E. Waipa Gambsky, as Assignee. The reason for the assignment was that Hattie Santos indicated that she currently resided on Oahu, lives on a fixed income, and has no means to finance the construction of a new home.

At its meeting of July 10, 1998, Item D-4, the Board rescinded its prior Board Actions of 11/20/97 (F-3), assignment of General Lease No. S-5434 to Dolores E. Waipa Gambsky and to re-assign General Lease No. S-5434 to Virgin Huihuiwaina Headrick, as Assignee. Dolores E. Waipa Gambsky asked to be relieved as assignee as she was unable to fulfill the terms of the lease. Ms. Gambsky was unemployed; therefore, unable to maintain payments of the lease rent, real property tax, and maintain the required insurance.

At its meeting of July 8, 2005, Item D-4, the Board of Land and Natural Resources approved consent to assignment of General Lease No. S-5434, Hattie L. N. Santos, Assignor, to Stephen N. Santos, Assignee.

By letter dated May 4, 2009, Stephen N. Santos requested the assignment of General Lease No. S-5434, to his sister, Oleander K. Csisko. Mr. Santos, a Hilo resident currently has no plans to reside in Kalapana, as a result, would like to assign the lease to Oleander. Mrs. Csisko, currently residing in Florida, plans to retire shortly, and wishes to relocate back to Hawaii. In considering her qualifications as a descendent of a survivor and the availability of the lease from a family member, an assignment of lease is being requested. On July 23, 2009, staff received executed copies of Assignment of General Lease No. S-5434, a copy of Certificate of Live Birth, and Marriage Certificate. Upon satisfactory review of the Birth Certificate and Marriage Certificate provided, staff confirms that Oleander K. Santos and Oleander K. Csisko are one in the same person, therefore, a qualified applicant for a Kikala-Keokea residential lease.

Staff reviewed the file and can report that for the past two (2) years, all terms and conditions of the lease have been satisfied. The Lessee has never been cited for any illegal or unlawful activity on the State property.

Oleander K. Csisko, as Assignee, has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

Oleander K. Csisko qualifies as an Assignee under the lease as she is, (1) the sister of Stephen N. Santos, and (2) the daughter of Hattie Santos, as verified by a copy of her Birth Certificate.

The first rental reopening is scheduled for 1/01/2022. There are no outstanding rental reopening issues.

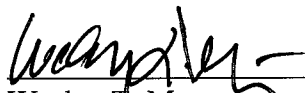

No agency or interest group comments were solicited, as there will be no new disposition or change in use of the land.

RECOMMENDATION:

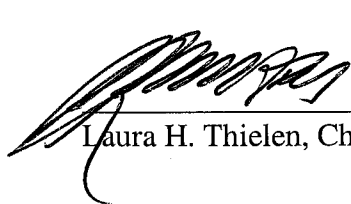
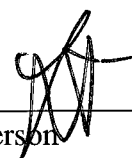

That the Board consent to the assignment of General Lease No. S-5434 from Stephen N. Santos, as Assignor, to Oleander K. Csisko (aka: Oleander Csisko, Oleander Kalanionalanimaunaloa Csisko, as Assignee, subject to the following:

1. The standard terms and conditions of the most current consent to assignment form, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
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Wesley T. Matsunaga  
Land Agent 

APPROVED FOR SUBMITTAL:

    
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Laura H. Thielen, Chairperson

